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ABSTRACT

Educational issues of concern to southwestern state legislatures are reviewed in this educational policy bulletin. Information from a survey of legislative education committee members and legislative aides in Arkansas, Louisiana, Oklahoma, New Mexico, and Texas is used to develop profiles of each state's unique educational concerns and political climate. Findings indicate that school and finance reform are probably the most important issues confronting regional educators in 1990. Most states are faced with determining how to finance reform and developing equitable public school funding policies. (LMI)

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INSIGHTS

ON EDUCATIONAL POLICY AND PRACTICE

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LEGISLATIVE ISSUES 1990

As a new decade gets underway, so do special and regular sessions in many state legislatures across the Southwest. Education remains a major issue on their agendas. In December and January, ED-AIDE surveyed members of legislative education committees and legislative aides in Arkansas, Louisiana, New Mexico, Oklahoma, and Texas about educational issues of emerging or continuing importance to them and their constituents. This issue of INSIGHTS contains a synopsis of the leading issues that transcend state borders, followed by profiles of each state's unique educational concerns and political climate.

Across State Borders

Revenue and reform share the spotlight in legislative sessions in the Region. Legislators in all five states will deal with issues related to public school finance systems, education reforms, district consolidation or other reorganization schemes, and accountability systems.

In trying to ensure that states provide a quality education for all their students, policymakers find themselves wrestling with the issues of school finance and equity. In most states, legislators must figure out how to pay for various educational reforms and how to pay fairly for public schools. One long-debated strategy, which is receiving new attention in Arkansas, Oklahoma, and Texas, is district consolidation or reorganization.

Other issues will be revisited or refined during 1990 legislative sessions, including:

- At-risk youth
- Increased teacher salaries
- Higher education governance.

Arkansas

Even without a regular legislative session on their agendas, policymakers will continue to give their attention to implementing a mandated accountability system and dealing with the concerns related to public school funding. In a special session last October, the General Assembly authorized funding for the Office of Accountability, which was a provision of the "School Report Cards Act" passed during the 1989 regular session. This authorization is an important step toward implementing the state's accountability system.

Funding, both the generation of revenue and the structure of the state's funding formula, continues to be an issue that demands attention. Arkansas's political arena has been, and will continue to be, affected by the Pulaski County judicial decision in which the state was ordered to generate the $131 million deemed necessary to comply with federal standards. In 1983, the State Supreme Court ruled that the state's funding formula was unconstitutional because "it permitted wide disparities in per-pupil expenditures." According to state Rep. Ed Thicksten, Arkansas's school financing formula "is still ripe for scrutiny by the courts" (*Arkansas Gazette*, October 29, 1989).

Louisiana

Governance of higher education and revenue are the foremost topics facing Louisiana legislators this year. Last fall, Governor Roemer convened a special task force to address problems with the state's structures for the governing and the funding of higher education. Responsibility for higher education in Louisiana currently is shared among a Board of Regents and three

subordinate boards. Lawmakers have tried repeatedly to consolidate this structure into a more cohesive and effective single unit. Governor Roemer declared that the four governing boards pit "board against board, system against system, region against region, school against school in a wasteful...struggle for students, status, and scarce education dollars" (*Morning Advocate*, November 4, 1989).

The Special Governor's Task Force on Public Higher Education will make recommendations regarding higher education finance, as well as reform of higher education's governance structure during the 1990 regular session. Funding structures for public elementary and secondary education will be examined as well. A two-year study is presently scrutinizing Louisiana's funding formula, the Minimum Foundation Program (MFP), to confirm that it effectively ensures an equal education for all students.

New Mexico

Funding takes the lead among the issues to be discussed in New Mexico's legislative session. New issues will compete with priorities of the last few years, namely increased teacher salaries and reduced class size. During this session lawmakers will have to decide whether to allocate new funds to increasing teachers' salaries or to reducing class size.

Their dilemma may be eased somewhat by the introduction of a new timetable that allows kindergarten and elementary class size to be reduced gradually over the next few years. State leaders may be able to begin phasing in the class reductions and have money left over for teachers' salaries. Essentially, the issue related to funding is deciding the level at which the state can fund educational reforms and/or salary schedules in a single year with limited growth in revenue.

Legislation is also likely to be introduced that refines the due process system adopted in 1989. Last, a task force has examined the effects of instructional television upon students as well as applications of this medium in the learning process. Their findings will also be considered during the 1990 session.

Oklahoma

Reform and revenue for public education, once again, are primary issues in a special session that began last August and may continue up to the 1990 regular session in February. State leaders have been wrestling with an ambitious set of education reforms as well as a set of constitutional resolutions, most of which deal with school funding and will be put before the voters later this year. Funding the bill's initiatives will mean about a $230 million increase in taxes.

Reform measures in the mammoth education bill include:

- Higher accreditation standards
- Alternative schools
- Competency and standardized testing
- Consolidation
- Curriculum design and implementation
- Deregulation for high-performance schools
- Longer school day and year
- Mandatory full-day kindergarten
- Merit pay
- Optional 4-year-old programs
- Interdistrict parental choice
- Public education tenure provision
- Teacher salary increases over five years.

In August, 1989, the legislature created a 31-member, citizens' panel, "Task Force 2000: Creating 21st Century Schools," to address the future of the state's education system. Specifically, the task force made recommendations on

how to bring teachers' salaries and per-pupil expenditures to national averages by the year 2000. Most of the committee's recommendations are incorporated in the 100-page bill.

A major thrust of this education reform and revenue package is equity in public school funding. Last year, the Fair School Finance Council declared that the constitution of Oklahoma does not guarantee *equitable* schooling, although the document does guarantee *free* schooling for the children of Oklahoma. Wide disparities prevail among the state's 373 school districts, and many policymakers share the concern that the gaps are too wide, regardless of the constitution's language.

Much debate has centered on two of the legislation's more controversial proposals: one to consolidate schools and one to eliminate tenure for public school teachers. The consolidation provision includes both "a stick and a carrot." Schools that do not meet the standards of the North Central Association of Colleges and Schools face the threat of consolidation. But the bill also provides monetary incentives for schools to merge.

A due-process system to replace tenure for public school teachers has been proposed. The proposed language retains protection of teachers' due-process rights, but removes the word "tenure." Discussion regarding the precise statutory language alluding to teacher tenure is an issue for 1990.

Texas

Designing a new public school funding system is the agenda item for Texas's special session. Last October in *Edgewood v. Kirby*, the Texas Supreme Court declared Texas's school finance system unconstitutional. Now, the Legislature is racing the clock to devise a fair way to pay for public education by May 1, 1990. Four of the five major proposed plans have costly price tags—from $600 million to $1 billion in 1990-91. And Governor Clements has already expressed his distaste for increased state funding.

A plan proposed by the Texas Research League would equalize school finances, rather than increase state funding. Most of the major plans published to date address the court's requirement for equal access to funds by including some application of "guaranteed yield." That is, districts are guaranteed a minimum level of funding through state aid and local taxes, if they tax property owners at a certain level.

Some plans propose consolidating the state's 1068 school districts into 254 countywide tax bases. Under the "Equality Plan" proposed by Senator Hector Uribe and Representative Gregory Luna, for example, each county would levy a uniform tax, which the state would supplement according to an equalization formula. Monies would be redistributed among districts within each county on a per-student basis. Such modified consolidation would decrease the ratio in wealth between Texas' richest and poorest districts from 270-to-1 to 96-to-1.

Some of the plans include increases in teachers' salaries. The plan proposed by State Comptroller Bob Bullock would produce a six percent increase in the teacher salary schedule for the first year. School funding plans aside, Texas's legislators may work on the implementation of an indicator system to ensure that performance standards are improved.

Summary

Education reform and finance reform probably rank as the most important issues confronting regional legislators this year. In most states, they must (1) figure out how to pay for various educational reforms and (2) decide how their states can equitably pay for public schools.

Both concerns reflect a growing nationwide concern that public school systems do not give all students opportunities to succeed in those systems. Consequently, many legislative agendas in the region include the creation or refinement of reform measures geared toward improving student performance.

Public school finance is another issue crossing state borders. Since 1971, when California became the first state to have its system overturned, state supreme courts have challenged the public school finance systems of 21 states, including Arkansas and Texas. But states have come no closer to fixing their financing problems in the 1980s than they were in 1971. In fact, some observers of school finance say that education reform measures—increased standards, lower student-teacher ratios, accountability measures—may have exacerbated an inequitable situation. "Many states, eager to pump more money into their education systems, did so without raising funding for education in poor school districts" (Fiordialisi, p. 22).

Costly as it is, education reform might help states correct their financing problems. As state leaders set standards for education, they can use those standards to test whether their public funding systems are fair to all children. During 1990, regional legislatures will address the question, "How does the state ensure that all school children have fair access to the resources necessary for a quality education?"

References

Fiordialisi, G. Blow to Kentucky school finance method sending many states back to class. *City & State*, August 28, 1989.

LaPlante, J. Governor charges higher ed study panel. *Morning Advocate*, November 4, 1989.

School formula assailed. *Arkansas Gazette*. Sunday, October 29, 1989.

The survey for this issue of INSIGHTS was conducted by Laura A. Sheridan, a University of Texas senior working with ED-AIDE, and Joyce S. Pollard, Senior Policy Associate, ED-AIDE, Resources for School Improvement.

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